

	<p style="text-align: center;">Congressional Asian Pacific American Caucus Executive Board Meeting</p> <p style="text-align: center;">Guest: Kenneth Feinberg <u>Recommendations for the Gulf Coast Claims Facility</u></p> <p style="text-align: center;">Thursday, July 29, 2010 1:30pm, 2358-C Rayburn</p>
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ASIAN AMERICANS ALONG THE GULF COAST

In the aftermath of Hurricane Katrina, a majority of Asian Americans living along the Gulf Coast, most of whom were Vietnamese Americans, had unique needs that were not met by emergency authorities. Tens of thousands were forced to seek initial relief in their own ethnic communities. There was a lack of culturally and linguistically competent government and relief agency workers or even a plan to address different ethnic populations in the case of an emergency or disaster. There were large gaps in services and advocacy for Asian American communities as well as unbalanced resource allotment and mistakes by disaster response agencies.

We have many lessons to learn from the aftermath of Hurricane Katrina, and our caucus makes the following recommendations to ensure that the oil spill claims process is an equitable one that is accessible to all communities impacted by the spill.

It is estimated that at least one-third of shrimping vessels along the U.S. Gulf Coast are Vietnamese American-owned and operated. This estimate does not include those who catch oysters, crabs and other seafood nor other ethnicities such as Cambodian, Laotian and Thai American communities. Southeast Asian Americans make up 40,000 in the Gulf Coast region. One in five work in the seafood processing industry, which comprises a \$3 billion economy and provides the U.S. with one third of its seafood.

RECOMMENDATIONS FOR THE GULF COAST CLAIMS FACILITY AND CLAIMS PROTOCOL

Language Access

Ensure language access – both translation of documents and in-person interpreting services – throughout claims and adjudication process and ensure accurate information in multiple languages. All entry points throughout claims process should be linguistically accessible, culturally competent, and explained in simplified terms to reach individuals with low literacy levels.

With respect to interpreters, we recommend hiring bilingual staff, which include:

- Intake specialists
- Claims examiners/evaluators
- Hotline operators
- Adjudication processors
- Appeals processors

With respect to translations, we recommend:

- The publication of a detailed step-by-step explanation of the claims process in, at a minimum, English, Spanish, French, Khmer, and Vietnamese. This includes details regarding the hotline process, claims intake, claims evaluation, adjudication, and appeals processes.
- Any signed documents should be provided in the above mentioned languages, and copies of these documents should be provided to claimants.

Appeals Board

It is imperative that the proposed appeals board be reflective of the Gulf Coasts' diverse communities, particularly in the fishing and seafood industry impacted by the oil spill.

To that end, we recommend that the proposed three-member appeals board be expanded to five members. We also urge that at least one board member have deep knowledge of the Southeast Asian American community along the Gulf Coast and the particular linguistic and cultural barriers faced by the community, and have a strong, demonstrated history of working with the Southeast Asian American community in the Gulf Coast.

Infrastructure for Sustained Community Outreach

Given the diversity of the impacted community, including Southeast Asian Americans, we recommend that you:

- Form a community outreach working group that would conduct outreach and education to the Gulf Coast's diverse communities on the claims process. We recommend for there to be a focus on communities with limited English proficiency as well as low-literacy communities. The working group would also collect feedback regarding the claims process to a central coordinating center. We recommend that you include Southeast Asian Americans when hiring, and that outreach plans and strategies should include how such outreach will be conducted to Southeast Asian American communities.
- Form an external Advisory Council that reflects the diversity of the communities impacted by the oil spill. The Advisory Council could consist of a diverse cross-section of the community including elected officials, community based organizations, business associations, environmental organizations, and other community leaders. Such an Advisory Council would advise your team as well as the appeals board.

Process: Transparent, Streamlined and Due Process

There needs to be transparency and strict accountability of the criteria, process, and decision-making regarding the claims. Transparency includes access to information in a manner that addresses the limited English proficiency and low literacy community's needs.

- Create a streamlined and accessible follow-up process. We recommend:
 - i. A customer service hotline to answer follow-up questions and status after every step within the claims process.
 - ii. A central information processing center to compile all processed claims whether filed online, by phone, or in person. This would streamline communications between all claims offices to prevent duplicate claims and fraud. Also, this would allow applicants to access their claims file at any claims offices along the Gulf Coast.
- Allow time for public comment on the claims process and protocol. This can be done through the internet and at claims centers.